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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF WASHINGTON

10 DEBORAH HALL,

11 Plaintiff,

12 v.

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14 NANCY A. BERRYHILL,  
15 Acting Commissioner of Social  
16 Security,

17 Defendant.

No. 2:16-cv-00396-RHW

**ORDER GRANTING MOTION FOR  
REMAND**

18 Before the Court is a Stipulated Motion for Remand and jointly move the  
19 Court to remand for further administrative proceedings. **ECF No. 26.** Based on the  
20 agreement of the parties and the record, the Court finds good cause to grant the  
21 motion.

22 The Commissioner's decision to deny Plaintiff's application for disability  
23 benefits is **REVERSED** and **REMANDED** for further proceedings including a de  
24 novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the  
25 administrative law judge ("ALJ") shall: (1) consider the evidence as a whole and  
26 provide Ms. Hall with the opportunity to submit additional evidence; (2) reevaluate  
27 Ms. Hall's testimony; (3) attempt to obtain the initial determination for Ms. Hall's  
28 prior Title II claim filed on January 19, 2005, in order to clarify the date of this

**ORDER GRANTING MOTION FOR REMAND ~ 1**

1 determination and the period at issue in front of the ALJ; (4) attempt to obtain the  
2 prior hearing decision dated December 17, 2004, in order to evaluate the present  
3 claim pursuant to AR 97-4(9), *see Chavez v. Bowen*, 844 F.2d 691 (9th Cir. 1988);  
4 (5) reevaluate Ms. Hall's severe impairments, and in doing so, obtain evidence  
5 from a medical expert regarding the nature and severity, and functional limitations,  
6 if any, of Ms. Hall's impairments; (6) reconsider Ms. Hall's residual functional  
7 capacity, and in doing so, evaluate the opinion from Dr. French; and (7) seek  
8 supplemental vocational expert evidence, if warranted, to determine whether there  
9 are a significant number of jobs in the national economy that Ms. Hall can  
10 perform.

11 Accordingly, **IT IS HEREBY ORDERED:**

12 1. The parties' Stipulated Motion for Remand, **ECF No. 26**, is **GRANTED**.

13 2. The Commissioner's decision is **REVERSED** and this matter is  
14 **REMANDED** for further administrative proceedings consistent with this order.

15 3. All pending motions in this matter are now moot.

16 4. Reasonable attorney fees shall be awarded under the Equal Access to  
17 Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

18 5. The District Court Executive shall enter judgment for the Plaintiff and  
19 against Defendant.

20 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
21 Order, forward copies to counsel, and **close the file**.

22 **DATED** this 18th day of October, 2017.

23  
24 s/Robert H. Whaley  
25 ROBERT H. WHALEY  
26 Senior United States District Judge  
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